

**REMARKS**

The applicants have carefully reviewed the official action mailed on November 13, 2008. The official action indicates that claims 2-75 are drawn to a first invention relating to determining the operating mode of a recording/playing device, and claims 76-85 are drawn to a second invention relating to monitoring the extraction of data from a memory. The official action further indicates that claims 2-75 relate to three species corresponding to FIGS. 1, 2 and 3, respectively, and requests election of one of these species if the first invention is elected for prosecution in this application.

The applicants hereby elect claims 2-47 for prosecution in this application. Accordingly, claims 48-85 are indicated as withdrawn in the foregoing listing of claims. However, the applicants submit that claims 2-47 appear to correspond to FIG. 2 rather than FIG. 1 as indicated in the official action. Further, the applicants submit that claims 48-62, which relate to the first invention, appear to correspond to FIG. 3 rather than FIG. 2 as indicated in the official action.

The applicants respectfully request an early favorable action on the merits.

No fee is believed to be due. However, in the event that any fee is deemed due for filing this paper, the Commissioner is authorized to charge such fee to deposit account number 50-2455.

Respectfully submitted,

/Mark G. Hanley/  
Mark G. Hanley  
Reg. No. 44,736  
Attorney for Applicant(s)  
150 S. Wacker Drive, Suite 2100  
Chicago, IL 60606  
(312) 580-1020

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